

REMARKS

Claims 1, 2, 4 and 5 are pending in this application. By this Amendment, claims 1, 4 and 5 are amended, and claims 3 and 6 are canceled without prejudice or disclaimer. Figures 2A and 3A are also amended. No new matter is added. Support for the amendments to the claims can be found, *inter alia*, at page 9, lines 14-30 of Applicants' specification as filed. Reconsideration based on the amendments and final remarks is respectfully requested.

I. Objection to the Drawings

The Office Action objects to Figures 2A and 3A. Specifically, the Office Action requires that Figures 2A and 3A be designated by a legend.

Applicants respectfully submit that Figures 2A and 3A as amended overcome the objection. Withdrawal of the objection is respectfully requested.

II. The Claims Define Allowable Subject Matter

The Office Action rejects claims 1-6 under 35 U.S.C. §102(a) as being anticipated by Moench et al. (U.S. Patent No. 6,631,996). The rejection of canceled claims 3 and 6 is moot, and the rejection of claims 1, 2, 4 and 5 is respectfully traversed.

Initially, Applicants stress the following requirements for a 35 U.S.C. §102 rejection.

1) In order to anticipate a claim, all features or limitations of a claim must be disclosed in a single reference either explicitly or inherently. 35. U.S.C. §102. See also, In re Paulsen, 30 F.3d 1475, 1478, 1479, 31 USPQ2d 1671, 1675 (Fed. Cir. 1994), In re Spada, 911 F.2d 705, 708, 15 USPQ2d 1655, 1657 (Fed. Cir. 1990), Hazani v. Int'l Trade Comm'n, 126 F.3d 1473, 1477, 44 USPQ2d 1358, 1361 (Fed. Cir. 1997) and RCA Corp. v. Applied Digital Data Systems, Inc., 730 F.2d 1440, 1444, 221 USPQ 385, 388 (Fed. Cir. 1984).

2) All positively recited features of a claim must be addressed in an Office Action. In re Angstadt et al., 190 USPQ 214 (CCPA 1976); In re Alul et al., 175 USPQ 700 (CCPA 1972); and General Electric Company v. U.S., 198 USPQ 65 (US Cl.Ct 1978).

3) When rejecting a claim based on prior art, the Examiner must designate the particular part of the reference relied on as nearly as practicable. 37 C.F.R. §1.104(c)(2).

The Office Action has failed to meet any of the above requirements in asserting the below rejection. First, the rejection simply alleges anticipation of the features of claim 1, as best understood. Accordingly, the Office Action has failed to allege that all features of independent claims 4 and dependent claims 2, 3, 5 and 6 are disclosed by the applied reference. Second, the rejection fails to address all of the positively recited features of at least claims 2-6. Third, the rejection fails to indicate the portion of the applied reference relied on as disclosing the features of the rejected claims.

In view of at least the forgoing, the rejection fails to meet the basic requirements of a 35 U.S.C. §102 rejection and is improper. Because the rejection is improper, Applicants respectfully request withdrawal of the rejection. However, in order to expedite prosecution, Applicant will address the rejection below, as best understood.

Moench does not teach "obtaining image data, to adjust the projected image, in a period of the same driving waveform in synchronization with the control of the driving waveform for supplying electric power to the light source" and "the image obtaining section obtaining the image data in a period of the same driving waveform in synchronization with the control of the driving waveform for supplying the electric power to the light source," as recited in, for example, independent claims 1 and 5, respectively.

Applicants respectfully submit that those features are not even addressed in the grounds for rejection presented in the Office Action at pages 2-3. Applicants submit that Moench fails to disclose an image obtaining section as claimed in addition to other features positively recited in the claims as amended.

Thus, Applicants respectfully submit that Moench fails to teach all of the currently claimed combination of features of claims 1 and 5. Further, Applicants respectfully submit

that Moench fails to teach the currently claimed combination of features of claims 2 and 4, and 6, which respectively depend from claims 1 and 5.

For example, Moench fails to disclose "the method further comprising operating the light source driving section and the image obtaining section in synchronization with the signal generated in the synchronous signal generating process," as recited in claim 2.

Withdrawal of the rejection is respectfully requested.

III. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachment:

Replacement Drawing Sheets (2)

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